

UNITED STATES OF AMERICA  
UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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JERRY ATHAN,	)	
	)	
Plaintiff,	)	Case No. 1:06-cv-273
	)	
v.	)	Honorable Wendell A. Miles
	)	
BRAD PURVES et al.,	)	
	)	
Defendants.	)	
	)	

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**JUDGMENT**

In accordance with the Opinion filed this date:

**IT IS HEREBY ORDERED** that Plaintiff's action be **DISMISSED** without prejudice for lack of exhaustion of available administrative remedies as required by 42 U.S.C. § 1997e(a).

For the same reasons that the Court dismisses the action, the Court discerns no good-faith basis for an appeal. *See* 28 U.S.C. § 1915(a)(3); *McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

Dated: May 18, 2006

/s/ Wendell A. Miles  
Wendell A. Miles  
Senior U.S. District Judge